From: California Law360
To: Gorwood, Kathy
Subject: "Stranger Things" Creators Stole Netflix Show Idea, Suit Says
Date: Wednesday, April 04, 2018 12:30:13 AM

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Wednesday, April 4, 2018

TOP NEWS

'Stranger Things' Creators Stole Netflix Show Idea, Suit Says

"Stranger Things" creators Matt and Ross Duffer stole the idea for their hit Netflix series from another writer who shared his scripts with them during a party at the Tribeca Film Festival in 2014, according to a lawsuit filed in California state court Tuesday. Read more »

Analysis

Google Pay Equity Case May Be Blueprint For Class Actions

A recent California state court decision letting a proposed class action alleging Google underpays women statewide go forward may provide plaintiffs attorneys a new model for suits challenging employers' pay practices in the Golden State and beyond, attorneys say. Read more »

IP Atty Accused Of 'Bizarre Scheme' In TM Antitrust Suit

Trademark filing service Trademark Engine on Tuesday urged a California federal court to toss LegalForce RAPC's antitrust suit, accusing that law firm's founder of secretly recording conversations and engaging in a "bizarre scheme" to pump information from a former Trademark Engine employee under the pretext of a job interview. Read more »

Yelp Says Bad Atty Review Ruling Will Hurt Web Publishers

Yelp urged the California Supreme Court on Tuesday to nix a lower court's order that it take down a negative review of a personal injury attorney by her former client, saying the order violates its free speech and due process rights and will spur a "flood" of take-down orders against millions of online publishers. Read more »

Facebook Beats Non-Users' Biometric Privacy Suit

A California federal judge on Tuesday tossed a proposed consumer class action brought over Facebook Inc.'s allegedly unlawful collection and storage of nonusers' facial scans, finding the lead plaintiff's claims hinged on one photo on which the social media giant didn't use its facial recognition technology. Read more »

Feature

Uber Settlement Marks Turning Point For Crash Litigation

The Uber fatality and quick settlement could herald big changes for personal injury practice. Driverless cars collect more objective evidence and data than conventional ones, making settlements more likely. But the incident also highlights uncertainties about liability. Read more »

Price Of A Chicken Sandwich Keeps No-Tipping Suit On Menu

Dozens of New York and San Francisco restaurants returned to California federal court for another round in their battle against a consumer who accuses them of engineering a no-tipping policy in a "conspiracy" to

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Cooley
Cotchett Pitre
Covington & Burling
Cravath Swaine
Crowell & Moring
Davis Wright Tremaine
Dechert
Delfino Green & Green
Dentons
Duane Morris

overcharge customers, arguing he bases his suit on a fried chicken sandwich that cost $5 more after a Brooklyn eatery eliminated tipping. Read more »

LEGAL ETHICS & MALPRACTICE

NFL Retirees Asserting Likeness To Pay $25K In Sanctions

A California magistrate judge imposed monetary and evidentiary sanctions Monday on a proposed class of former NFL players suing video game maker EA for allegedly using their identities in Madden, saying their responses to a slew of discovery requests were evasive. Read more »

ENERGY & ENVIRONMENTAL

9th Circ. Rules US Must Boost Conservation Efforts At Dams

A Ninth Circuit panel on Monday backed a lower court's determination that the federal government must boost water releases and monitoring at a series of dams along the Columbia and Snake rivers to protect salmon and steelhead, handing a win to environmental groups. Read more »

EPA Must Give Enviros Quicker Findings In Race Bias Cases

A California federal judge has taken the side of environmental groups that sued the U.S. Environmental Protection Agency alleging it had failed to respond to their racial discrimination complaints in a timely way, deciding the agency had blown past its deadlines. Read more »

Exxon, Others Can't Halt Remand Of Climate Torts, Gov'ts Say

A California federal judge should not delay sending three municipalities' climate change tort suits against Chevron Corp., Exxon Mobil Corp. and others back to state court, the local governments said Monday, arguing the energy giants were unlikely to convince the Ninth Circuit to accept their grounds for removal on appeal. Read more »

PRIVACY & CONSUMER PROTECTION

Lyft Slams 'Reckless' 9th Circ. Appeal Of Privacy Claims

Lyft told the Ninth Circuit on Monday that the "reckless" plaintiffs' lawyers representing an ex-driver cannot revive federal putative class claims that the ride-hailing company committed privacy violations during its pre-employment background checks, insisting his claims were already settled in a separate wage-and-hour suit in California state court. Read more »

Hot Topic Seeks TCPA Suit Stay Until 'Autodialer' Defined

Hot Topic asked a California federal court on Monday to pause a putative class action accusing the retailer of violating the Telephone Consumer Protection Act by sending promotional text messages, arguing that the parties would just be wasting time and money until the Ninth Circuit clearly defines an automatic telephone dialing system. Read more »

INTELLECTUAL PROPERTY

Record Label Asks Justices To Hear Fox 'Empire' TM Fight

A real-life record label called "Empire" asked the U.S. Supreme Court on Monday to revive its infringement lawsuit over a hit Fox television drama of the same name, saying the case raises questions of "exceptional importance" about the tension between free speech and trademark law. Read more »

Facebook's 11th-Hour Discovery Merits Sanctions, Judge Told

Facebook should be sanctioned for belatedly producing two notebooks from an architectural engineer, an attorney for BladeRoom Group Ltd. told a California federal judge Wednesday, one day before the start of trial in its suit accusing Facebook of stealing its trade secrets to erect a massive data center. Read more »

EMPLOYMENT

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Latham & Watkins
LegalForce RAPC Worldwide
Levi & Korsinsky
Lieff Cabraser
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Mintz Levin
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O'Melveny & Myers
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Brown Armstrong CPA
Burford Capital LLC
Chevron Corporation
Colorado Bar Association
Competitive Enterprise Institute
Consumer Watchdog
Electronic Arts Inc.
Emerson Electric Co.
Exxon Mobil Corporation
Facebook

Jury Confusion Tainted Pregnancy Bias Verdict, Panel Says

A California appeals court panel ordered that a new trial be held for a former chain restaurant employee's claims that she was fired because she was pregnant and had complained of various issues regarding her pay and sexism, saying that confusion among jurors over voting procedures marred the initial verdict in her employer's favor. Read more »

SECURITIES & WHITE COLLAR

NY Fed Selects SF Fed President For Top Slot

The Federal Reserve Bank of New York said Tuesday that it's found a new president and CEO in current San Francisco Fed chief John C. Williams, elevating the Stanford-trained economist to one of the Fed's most powerful posts over objections from some Democratic lawmakers and advocacy groups. Read more »

Pot Cryptocurrency Startup Says Token Buyers Must Arbitrate

ParagonCoin Inc. asked a California federal judge on Monday to toss a putative class action, saying token buyers of the cryptocurrency startup focused on the marijuana industry agreed to arbitrate any legal claims by accepting the token's terms and conditions at purchase. Read more »

COMPETITION

Think Tank Urges Reset On Lithium Ion Battery Settlement

A conservative think tank has urged the Ninth Circuit to reject a class settlement in the massive lithium ion battery multidistrict litigation, arguing in a brief filed Monday that the class roped in plaintiffs who had no claims. Read more »

IMMIGRATION

55K DACA Applications Approved Since January, USCIS Says

More than 55,000 applications for the Deferred Action for Childhood Arrivals program have been approved by the Trump administration since January, according to a Monday filing by the U.S. Department of Justice. Read more »

States, Cities Sue Feds Over Census Citizenship Question

New York Attorney General Eric Schneiderman led a coalition of states, cities and mayors Tuesday in a New York federal court challenge to the U.S. Department of Commerce's decision to add a question on citizenship status to the 2020 census, saying its inclusion will lead to an inaccurate census count. Read more »

PEOPLE

Feature

Revolving-Door Roundup: Arnold & Porter, Jones Day, Crowell

February and March saw a number of firms including Crowell & Moring LLP take advantage of departing enforcement attorneys with deep knowledge in specific areas including health care, cybersecurity and investment management, while Arnold & Porter brought in the former U.S. attorney in New Jersey. Read more »

King & Spalding Nabs Cooley IP Trial Partner

King & Spalding LLP has hired an intellectual property trial partner from Cooley LLP, where he chaired the firm's IP practice from 2012 to 2016 and represented life sciences and technology clients such as Qualcomm, Gevo, Hon Hai and Monolithic Power Systems in high-stakes patent trials, King & Spalding said Monday. Read more »

Latham Adds Wilson Sonsini Corporate Partner In Calif.

Latham & Watkins LLP has hired a Wilson Sonsini Goodrich & Rosati PC

Google Inc.
Hitachi Ltd.
Hot Topic, Inc.
International Business Machines Corporation
LG Chem Ltd.
LegalZoom.com Inc.
LexShares Inc.
LinkedIn Corp.
Lyft Inc.
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NEC Corp.
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Netflix Inc.
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Twitter Inc.
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Union Square Hospitality Group LLC
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GOVERNMENT AGENCIES

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Bureau of Citizenship and Immigration Services
Department of Commerce
Drug Enforcement Administration
Federal Bureau of Investigation
Federal Communications Commission
Federal Reserve Bank of New York
Federal Reserve System
Food and Drug Administration
Internal Revenue Service
National Marine Fisheries Service
National Transportation Safety Board
New York Attorney General's Office
Securities and Exchange Commission
U.S. Army
U.S. Census Bureau

partner for its San Francisco-based emerging companies practice who handles legal matters for high-growth private companies and venture investors in the technology and life sciences industries, the firm announced Monday. Read more »

EXPERT ANALYSIS

The Bipartisan Budget Act's Impact On Retirement Plans

Many retirement plan sponsors will likely find the relaxed rules related to hardship withdrawals included in the recently enacted Bipartisan Budget Act of 2018 to be a welcome change. However, implementing these changes will require amending plan documents, as well as altering participant communications and administrative procedures, say attorneys with Proskauer Rose LLP. Read more »

Innovator Liability Is The Least Scary Thing About Rafferty

Rafferty v. Merck, the recent decision from the Supreme Court of Massachusetts, held that a brand drug manufacturer can be liable for harm caused when a patient takes a generic version of its drug. A particularly troubling aspect of Rafferty is that the court buried the learned intermediary doctrine, says Terry Henry of Blank Rome LLP. Read more »

LEGAL INDUSTRY

Feature

Attys Must Tread Carefully In Litigation Funding's Next Stage

A recent $107 million Burford Capital deal is the latest signal that litigation funding's secondary market is starting to bloom under investor interest — a development that will bring more opportunities for lawyers, but also increased risks of being taken in by a funder that can't afford to finance the case on its own. Read more »

Feature

Bryan Cave Leighton Paisner's 'One Firm' Approach Pays Off

Before the official launch on Tuesday of the combined firm Bryan Cave Leighton Paisner LLP, the firm's co-chairs noted that they were already witnessing the benefits offered by a new, relatively rare, fully integrated international structure. Read more »

Corporate Counsel Are Keen On Moving Work In-House

The desire of general counsel to in-source legal work has not let up, with 65 percent of corporate counsel responding to a survey released Tuesday by saying they would prefer to bring additional talent in-house rather than rely on outside counsel. Read more »

Hogan Lovells Says Female Partners Out-Earn Men In UK

Hogan Lovells became the latest law firm Tuesday to voluntarily include partner compensation in its U.K. pay gap figures, and it turns out the law firm's female partners in Britain earn on average 2.8 percent more than their male colleagues. Read more »

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U.S. Environmental Protection Agency
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